1e: (687- 69 22
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FRANK S. LEE

Registered Land Surpeyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

September 8, 1987

Wilhelm's Tavern 1012 Beech Drive 15th District Baltimore County, Maryland

Beginning for the same on the southwest side of Beech Drive at the distance of 458 feet more or less measured northwesterly along the southwest side of Beech Drive from the centerline of Cypress Drive if extended southwesterly, thence running and binding on the southwest side of Beech Drive North 23 degree 05 minutes 57 seconds West 130 feet, thence running for a line of division North 66 degrees 54 minutes 03 seconds West 365 feet more or less to the waters of Dark Head Creek, thence on said Creek in a southerly direction 250 feet more or less, the ce running for lines of division as follows: North 66 degrees 54 minutes 03 seconds East 220 feet, North 23 degrees 05 minutes 57 seconds West 90 feet more or less and North 66 degrees 54 minutes 03 seconds East 230 feet more or less to the place of beginning.

Containing 1.63 acres of land more or less.

PETITION FOR SPECIAL HEARING W/S Beech Drive, 458' N of t c/l of N. Cypress Drive. (1012 Beech Drive) 15th Election District 6th Councilmanic District

Petitioner

William R. Sutton, Esquire

Baltimore, Maryland 21220

REs Petition for Special Hearing

Case No. 86-262-SPH*

Wilmer R. Coleman - Petitioner

2115 Old Orems Road

Dear Mr. Suttons

Enclosures

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 63-262-SPH Wilmer R. Coleman

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the non-conforming use of the subject property as a restaurant and tavern, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by Counsel. The following persons appeared as witnesses on behalf of the Petition: Carl Lambert, Robert Resner, Harry Horney, Jr., W. Donald Hooper, Paul Stapleton, Joseph Blazek, Mildred Bittman, Charles Bittman, and Petitioner's wife, Ruth Coleman. There were no Protestants.

Testimony indicated that the subject property, known as 1012 Beech Drive, consists of 4.17 acres more or less and is split zoned D.R. 16 and D.R. 5.5. Mr. Coleman testified that he inherited the property from his aunt, Mrs. Charlotte Wilhelm, on or about December 15, 1985. Testimony indicated that the property was acquired by Mrs. Wilhelm in approximately 1913 or 1914. Mr. Coleman testified that he first remembered being in the premises in approximately the 1920s. He testified that to the best of his knowledge his aunt began using the premises as a restaurant, tavern and store some time in the 1930s and that the use of that area as storage space for the restaurant and tavern.

Mr. Lambert testified that he is 72 years of age and was in the plumbing business before he retired. He indicated that in 1939 he worked in the area and often frequented the tavern and restaurant on the subject property, which was

W/S Beech Drive, 458' N of c/1 of N. Cypress Drive (1012 Beech Drive)

The Petition for Special Hearing has been Granted in accordance with the attach-

be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Enclosed please find the decision rendered on the above-referenced case.

In the event the decision rendered is unfavorable to any party, please

Very truly yours.

ANN M. HASTAROWICZ

of Baltimore County

Deputy Zoning Commissioner

15th Election District; 6th Councilmanic District

known as Wilhelm's. Mr. Lambert indicated that he was there as recently as the week of January 10, 1988. He further testified that there has been no change to the premises or the operation of the business other than interior decoration.

Mr. Horney testified that he is 59 years of age and has been delivering oil to Wilhelm's since 1942. He testified that he has made deliveries to the subject property approximately every two weeks since 1942 and is not aware of any changes to the premises other than the conversion of the small store to storage space. Mr. Horney testified that the restaurant and tavern area had not changed other than interior design.

Each of the witnesses identified above corroborated the testimony of Messrs. Coleman, Lambert and Horney.

After due consideration of the testimony and evidence presented, it is clear that the subject property has been used continuously and without interruption as a restaurant/tavern since prior to the 1945 zoning regulations and that a legal, non-conforming use of the subject property exists.

Pursuant to the advertising, posting of the property, and public hearing pn this Petition held, and for the reasons given above, the relief requested in The special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore Sounty this 26th day of January, 1988 that the non-conforming use of the subect property as a restaurant and tavern, in accordance with Petitioner's Exhi-, 1, be approved, and as such, the Petition for Special Hearing is hereby FIRANTED, from and after the date of this Order.

> - MNatarouten ANN M. NASTAHOWICZ Deputy Zoning Commissioner (
> of Baltimore County

Baltimore County Zoning Commissiones Office of Planning & Zoning Towson, Maryland 21204 494-3353

Villiam R. Sutton, Enq. 2115 014 Orems Road Baltimore, Maryland 21220



Petition for Special Hearing W/S Beech Drive, 458' c/l of N. Cypress Drive 15th Election District - 6th Councilmania District Vilner R. Coleman - Petitioner Case number: 28-262-SPH

Deer Hr. Sattons

Please be advised that \$66.00 is due for advertising and posting of the above-referenced property. All edvertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED

OFFICE OF FINAN	OUNTY, MARYLAND ICE - RETENUE DIVISION S CASH RECEIPT		• 45903	County, Maryland and fo
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RECEIVED ()	elmen R	. Cola	6.00	ROBERT HAINES ning Commissioner of timore County
Post	in all	erting	Signy Fos	5 t
	***E5001* : 1c			

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified below in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing W/S Beech Drive, 458' c/l of N. Cypress Drive (1012 Beech Drive) 15th Election District - 6th Councilmanic District Wilmer R. Coleman - Petitioner

DATE/TIME: Tuesday, January 19, 1988 at 11:00 a.m.

Petition for Special Hearing re: Non-conforming use, to establish a Restaurant and Tavern.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

BALTIMORY COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

- Hourse ROBERT HAINES ning Commissioner of

VALIDATION OR SIGNATURE OF CASHIER

ron I paid thanny Them #103

for a may of the insurance of and per-ms during this period for good cause shows. Such request must be in writ-ing and reresved in this affice by the date of the hearing set above or pre-sected at the hearing.

CERTIFICATE OF POSTECS THING DEPARTMENT OF BALTIMORE COUNTY

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15Th	Date of Posting 1/3/59		
Posted for: Special House			
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Location of property:	3000 h. Delining		
Francis Bank	(Dr. 6,2018, 70° 17, 400 4 WOY, C.S.		
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LEGALS	# 20
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Ole Times This is to Certify, That the annexed ing Act and Regulations of Baltimore County will bold a public hearing on 106 of the County Office Building, lewas inserted in the Times, a newspaper printed and published in Baltimore County, once in each lath Election District

ne / Publisher.

Cate Na. 35-223 SPH conforming use, to establish a Rostau-Dec. granted a building permit may be is-sued within the thirty (30) day appeal period. The Zoning Communications, will, however, entertain any request

BALTIMORE CO'NTY, MARYLAND BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE INTER-OFFICE CORRESPONDENCE January 12, 1988 Mr. J. Robert Haines
TO Zoning Commissioner December 3, 1987 Norman E. Gerber, AICP
FEOM Director of Planning and Zoning William R. Sutton, Esquire 2115 Old Orems Road 1277 REKHBONS AVE Baltimore, Maryland 21220 Zoning Petitions No. 268-SPH, SUBJECT_88-272-SPH, 88-262-SPH 121 Sylle are 2-036 RE: Item No. 103 - Case No. 88-262-SPH Petitioner: Wilmer R. Coleman 1012 Beech Pring 21220 Petition for Special Hearing 1403 EAST JOPA ROAD ZIZOY Dear Mr. Sutton: Bureau of In view of the subject of this petition, this office offers no comment. Engineering: 1402 TAIRD RA BALTE MO ALZO The Zoning Plans Advisory Committee has reviewed the plans submit-Department of Traffic Engliseering Samuel 252.0400 #7Denemonest Junion med 21093 ted with the above-referenced patition. The following comments are not intended to indicate the appropriateness of the zoning State Roads Commissi action requested, but to assure that all parties are made aware of Herry F. Harrey J 2 South Houthorn Ry 2/225 plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Bureau of Fire Prevention JOSEPH A. BLAZER 1312 SHORE RO- 21220 Health Department CHARLES F. BITTMON Project Planning 1525 SHOPE RO BALTO MO 21220 Building Department Enclosed are all comments submitted from the members of the Mildel M. Bittmen 1525 Share RL B. C+ Mid 2120 Committee at this time that offer or request information on your Board of Education petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. Coning Administration Industrial Development NEG:JGH:dme cc: Ms. Shirley M. Hers, Legal Assistant, People's Counsel Very truly yours, aires E. Deper /KKZ JAMES E. DYER Zoning Plans Advisory Committee cc: Frank S. Lee 1277 Neighbors Avenue Baltimore, Maryland 21237 Baltimore County Baltimore County Department of Public Works Fire Department Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 494-3554 Towson, Maryland 21204-2586 494-4500 September 22, 1987 Paul H. Reincke J. Robert Haines Zoning Commissioner Of the of Planning and Zoning Baitimore County Office Building Towson, MD 21204 Zoning Commissioner County Office Building Dennis F. Rasmussen
County Executive Towson, Maryland 21204 Re: Property Owner: Wilmer R. Coleman¶ Location: W/S Beech Drive, 458' c/1 N. Cypress Drive Meeting of September 22, 1987 Zoning Agenda: Meeting of 9/22/87 Item No.: 103 Dear Zoning Commissioner: The Bureau of Traffic Engineering has no comments for items number 96, 97, 98, 99, 100, 101, 102, 103) 104, and 105. Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property. () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. () 2. A second means of vehicle access is required for the site. () 3. The vehicle dead end condition shown at _____ Very truly yours, EXCEPDS the maximum allowed by the Fire Department.

Michael S. Flanigan
Traffic Engineer Associate II

MSF:sb

BIRE That the business to be confected under the placense hereby applied for shall be located at.

Wilhelms Livre on Welson Point Non-Lo Water First, Bull Week.

(Specify secution by defining designation and description)

BEVEN: That Charlette L. Wilhelmen is the owner of the prominess whereas it in proposed to conduct

/:

) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to cocupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition

() 7. The Fire Prevention Bureau has no comments et this time.

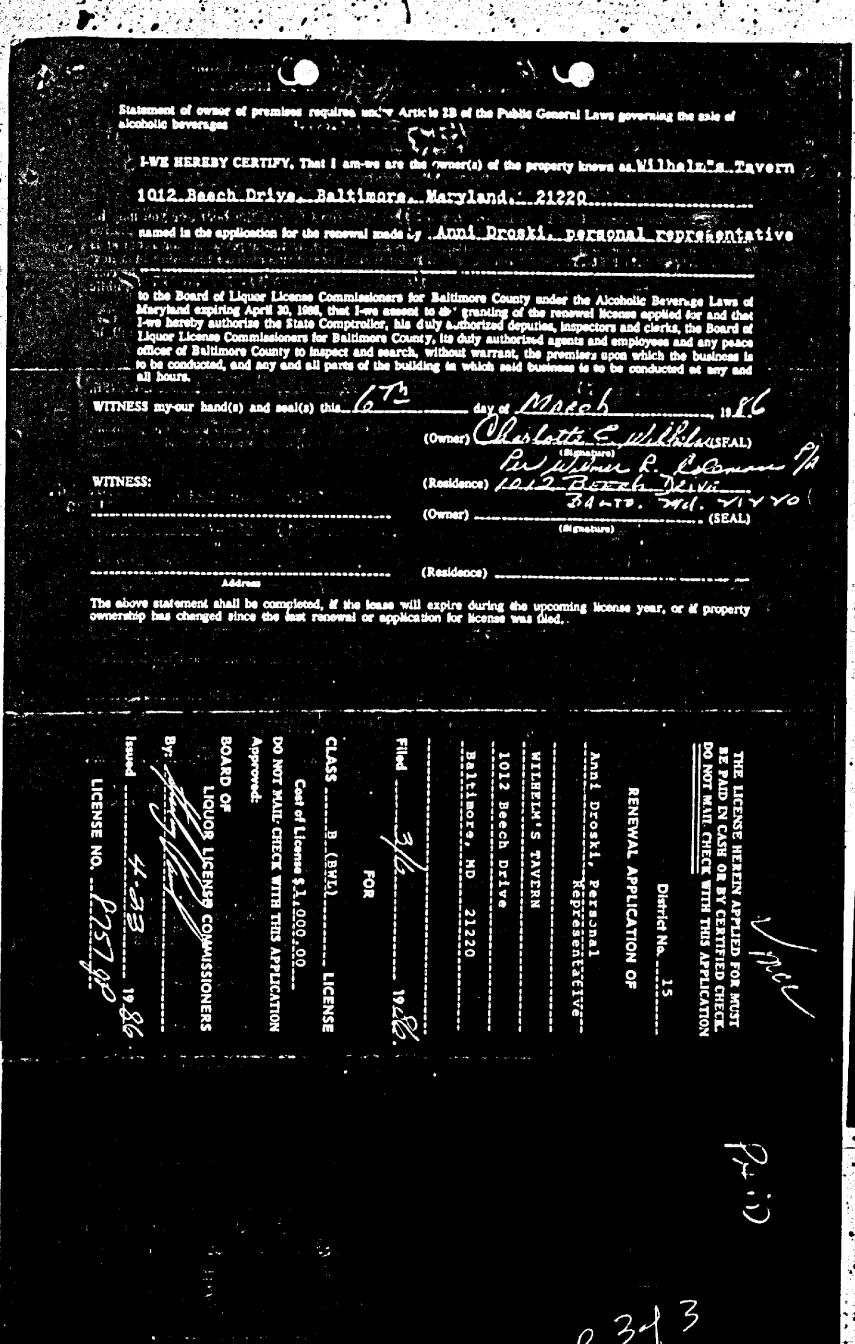
prior to occupancy.

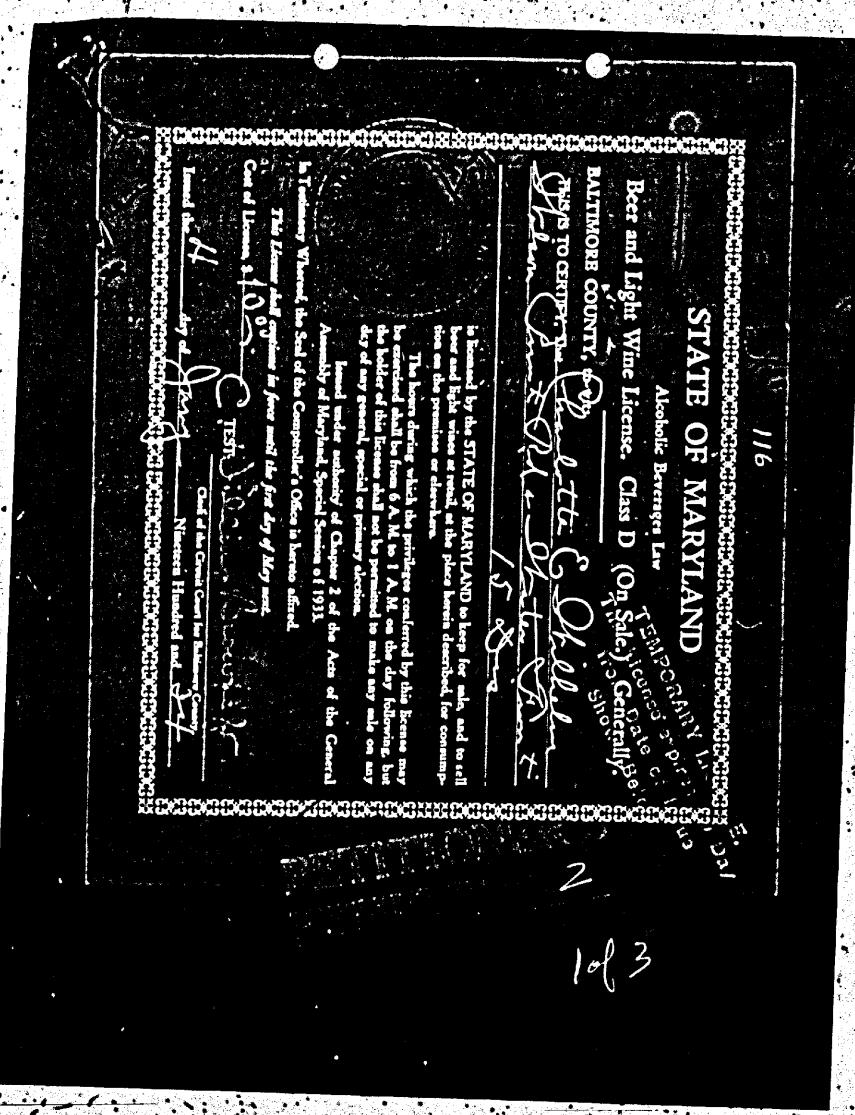
() 6. Site plans are approved, as drawn.

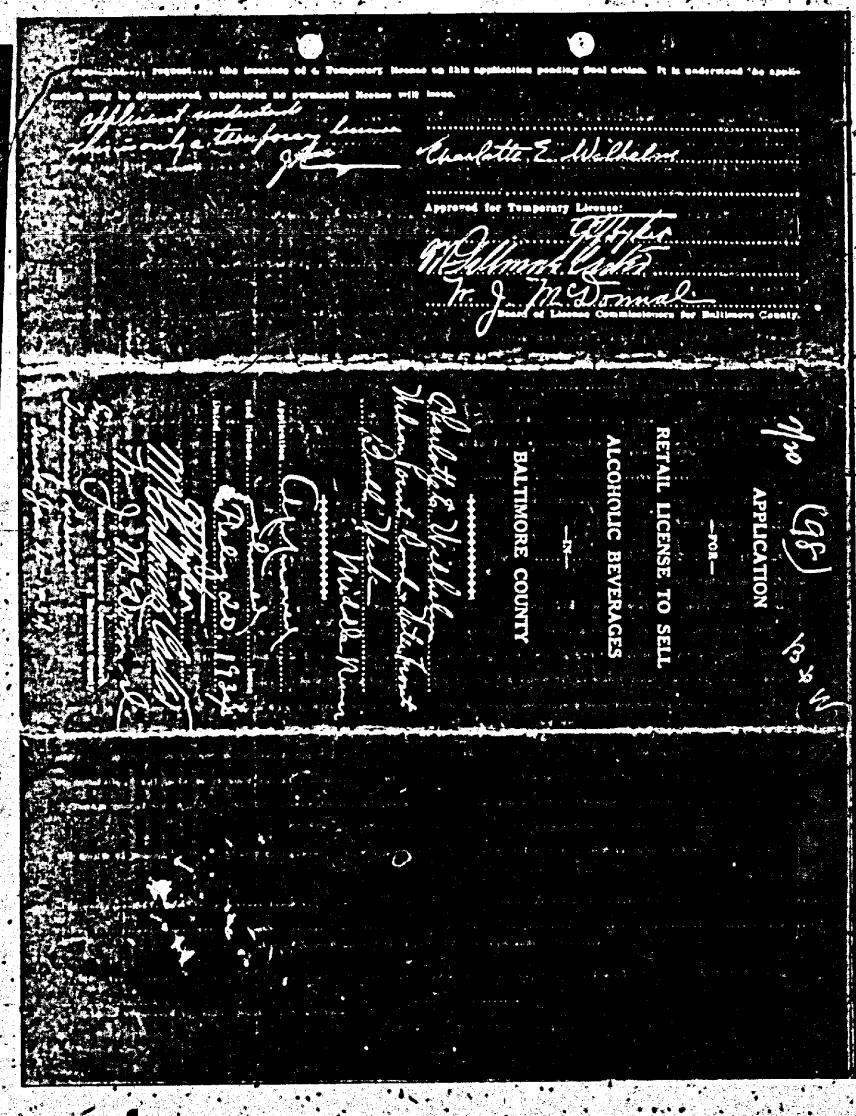
Do NOT Check for License with the polication.
RENEWAL APPLICATION—ALCOHOLIC BEVERAGE LICENSE. State of Maryland READ CAREFULLY ALL QUESTIONS ON BOTH SIDES MUST BE FULLY ANSWERED. This application must be filed on or before March 31, 1986 at the Office of the Board or you may be fined an amount not to exceed \$50 for each day the application is late, up to a maximum cumulative amount of \$500 for an application filed during the month of April. If the application for renewal is not received by April 30, 1986, your license will be VOIDED. This will necessitate the filing of a new application and the advertisement of same at a cost of \$100.00. Any such application will only be considered if there are new licenses available in your Election District. (See Article 2B of the Public General Laws, 1984 edition as an ended.) Extract from Section 198 of cicle 2B of the Law: If any signed statement, affidavit or oath required under the provisions of this Act shall contain any false statement, the offender shall be deemed guilty of perjury, and upon indictment and conviction thereof, shall be subject to the penalties provided by law for that crime. To the Board of Liquor License Commissioners for Baltimore County: Application is made by the undersigned for a renewal of the above class of license under the provisions of the State Alcoholic Beverage Law. There is submitted herewith the following statements and information _1012_Beech_Drive_Balto, Md. esentative Anni Droski 2541 Gracewood Dr. Balto. 21220 335-3794. Are you now and have you been for the present License period both the owner and operator of the business conducted on the premises? Licensee 1: 1/E S Licensee 2: Licensee 3: I-we hereby certify that the facts and information set forth in the application upon which the present license was issued are unchanged: Yes. X... No....... (If no, please attach full explanation)

During the licensed year have you been found guilty of any of the following?

(Answer Yes or No) (Answer Yes or No)
to each question below (If yes for any licensee, attach an explanation) LICENSEE 1 NO 2 1 A. Violation of Liquor Laws: C. Commission of a felony; LICENSEE 1 No 2 ___ 3 ___ D. Violation of the Rules and Regulations of the Board; LICENSEE 1 No 2 ___ 3 ___ I-we hereby authorize the State Comptroller, his duly authorized deputies, inspections and clerks, the Board of Liquor License Commissioners for Baltimore County, its duly authorized agents and employees and any peace officer of Baltimore County to inspect and search, without warrant, the premises upon which the business is to be conducted, and any and all parts of the building in which said business is to be conducted at any and all hours. Lie Dropi promal representative Signature of Licenses Signature of Licenses AFFIDAVIT I HEREBY CERTIFY, That on the Motory Weefler in and for the County and State aforesaid, personally application and made oath in due form of law that the matters and facts contained in said application are true WITNESS my hand and official seal







BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this

Jed day of November 1987.

ROBERT HAINES
ZONING COMMISSIONER

Petitioner Vilner R. Coleman Received by: Jame E. Dyer Chairman, Zoning Plans
Advisory Committee

Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., U.C., 31, 19.8.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Dec. 31, 19.87

NOTICE OF HEARING

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Wilson R. Coleman -- Pronounce

DAINTIME Turnday, January 19
1988 a. 11 500 a.m.

Cone Number: 86-3n2-SPH
Printing for Special Housing r

J RUBERT HAIRIES
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at Balamore County

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THE JEFFERSONIAN,

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